

By: Representatives Barnett, Brown (20th),  
Shanks, Scoggin, Rushing, Williamson

To: Judiciary B

HOUSE BILL NO. 1215  
(As Passed the House)

1 AN ACT TO AMEND SECTION 45-9-51, MISSISSIPPI CODE OF 1972, TO  
2 PROHIBIT STATE AGENCIES FROM RESTRICTING THE POSSESSION OF  
3 FIREARMS; AND FOR RELATED PURPOSES.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

5 **SECTION 1.** Section 45-9-51, Mississippi Code of 1972, is  
6 amended as follows:

7 45-9-51. (1) (a) Subject to the provisions of Section  
8 45-9-53, no county or municipality may adopt any ordinance or  
9 enter into any contract or rental agreement that restricts the  
10 possession, carrying, transportation, sale, transfer or ownership  
11 of firearms or ammunition or their components.

12 (b) No state agency may adopt a rule or regulation or  
13 enter into any contract or rental agreement that restricts the  
14 possession, carrying, transportation, sale, transfer or ownership  
15 of firearms or ammunition or their components.

16 (c) No state agency or their officers or employees may  
17 participate in any program in which individuals are given a thing  
18 of value provided by another individual or other entity in



19 exchange for surrendering a firearm to the state agency or other  
20 governmental body.

21 (2) No public housing authority operating in this state may  
22 adopt any rule or regulation restricting a lessee or tenant of a  
23 dwelling owned and operated by such public housing authority from  
24 lawfully possessing firearms or ammunition or their components  
25 within individual dwelling units or the transportation of such  
26 firearms or ammunition or their components to and from such  
27 dwelling.

28 (3) (a) A citizen of this state, or a person licensed to  
29 carry a concealed pistol or revolver under Section 45-9-101, or a  
30 person licensed to carry a concealed pistol or revolver with the  
31 endorsement under Section 97-37-7, who is adversely affected by a  
32 rule or regulation adopted by a state agency in violation of this  
33 section may file suit for declarative and injunctive relief  
34 against a state agency in the circuit court which shall have  
35 jurisdiction over the state agency where the violation of this  
36 section occurs.

37 (b) If the circuit court finds that a state agency  
38 adopted a rule or regulation in violation of this section, the  
39 circuit court shall issue a permanent injunction against the state  
40 agency prohibiting it from enforcing the rule or regulation. A  
41 state agency may be civilly liable in a sum not to exceed One  
42 Thousand Dollars (\$1,000.00), plus all reasonable attorney's fees  
43 and costs incurred by the party bringing the suit.



44           (4) This section does not apply to:  
45                   (a) The authority of a state law enforcement agency  
46 from adopting and enforcing regulations pertaining to the  
47 possession, carrying, transportation, sale, transfer or ownership  
48 of firearms or ammunition or their components issued or used by  
49 law enforcement officers in the course of their official duties.  
50                   (b) The authority of the Commission on Wildlife,  
51 Fisheries and Parks or the Department of Wildlife, Fisheries and  
52 Parks from regulating the use of firearms or ammunition as a  
53 method of taking wildlife and regulating the shooting ranges  
54 managed by the commission and department.  
55                   (c) A state agency listed in Article VIII, Section  
56 213-A of the Mississippi Constitution, provided that such agency  
57 or institution has adopted related rules and regulations which  
58 comply with all applicable state and federal laws.

59           **SECTION 2.** This act shall take effect and be in force from  
60 and after July 1, 2020.

